

Message Text

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ACTION NEA-12

INFO OCT-01 SS-15 IO-15 NSCE-00 ISO-00 SCS-03 SCA-01 DPW-01

CIAE-00 DODE-00 INR-10 NSAE-00 PA-03 RSC-01 USIA-15

PRS-01 SPC-03 DRC-01 L-03 AID-20 SR-02 ORM-03 /110 W

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R 121121Z OCT 73

FM AMEMBASSY ISLAMABAD

TO SECSTATE WASHDC 1558

INFO AMEMBASSY NEW DELHI

AMEMBASSY DACCA

AMEMBASSY TEHRAN

USMISSION GENEVA

LIMITED OFFICIAL USE ISLAMABAD 8900

E.O. 11652: N/A

TAGS: ICRC, PFOR, PK

SUBJ: INTERNATIONAL CONFERENCE OF THE RED CROSS: PAKISTAN'S
POSITION

REF: STATE 177463

SUMMARY: GOP DOES NOT PLAN INTRODUCE RESOLUTION ON
RETURN OF POWS AT TEHRAN CONFERENCE BUT HOPES TO WORK
ON PROTOCOLS TO THIRD GENEVA CONVENTION WITH VIEW TOWARD
STRENGTHENING VARIOUS PROVISIONS. END SUMMARY.

1. SELECTION OF PAKISTANI DELEGATION AND ITS FORMAL
POSITIONS AT CONFERENCE ARE CURRENTLY BEING WORKED OUT.
MFA DIRGEN ABDUL SATTAR INFORMED EMBOFF OCTOBER 12 THAT
PAKISTAN DID NOT PLAN RESOLUTION ON RETURN OF POWS BUT
HOPED TO WORK ON PROTOCOLS TO THIRD GENEVA CONVENTION
WHICH WOULD ENSURE COMPLIANCE OR PROVIDE FOR MACHINERY
TO SETTLE DIFFERENCES OF INTERPRETATION. NOW THAT
DELHI AGREEMENT ON REPATRIATION HAD BEEN REACHED, SATTAR
FELT NEED FOR MUTUAL CONFIDENCE AND TRUST AMONG SUB-
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CONTINENTAL PARTIES ON WHICH TO BUILD FUTURE NEGOTIATIONS

MORE IMPORTANT THAN SMALL GAINS THAT COULD BE MADE IN EMBARRASSING INDIA AND BANGLADESH BY RESOLUTION ON POWS.

2. NEVERTHELESS, PAKISTANIS HAVE IN MIND TRYING TO STRENGTHEN CONVENTIONS THROUGH PROTOCOLS. SPECIFIC ARTICLES OF THIRD CONVENTION REQUIRING IMPLEMENTING ACTION, IN SATTAR'S MIND, WERE 118, 11 AND 1. ARTICLE 118 NEEDED STRENGTHENING TO REDUCE DELAY ON RELEASE AND REPATRIATION OF POWS. HGOP WISHED TO WORK OUT PROTOCOL MACHINERY, BASED ON ARTICLE 33 OF THE UN CHARTER, RE RESOLUTION OF DIFFERENCES, WHICH COULD GO INTO EFFECT WHEN TWO SIDES HAD DIFFERING INTERPRETATION OF CONVENTION AS, FOR EXAMPLE, THEY HAD ABOUT MEANING OF "AFTER CESSATION OF HOSTILITIES" WHEN POWS WERE TO BE RELEASED. ARTICLE 11 REGARDING DUTIES OF "PROTECTING POWER" COULD NOT BE IMPLEMENTED WHEN GBD AND INDIA INSISTED THAT SWISS COULD NOT ACT AS SUCH UNTIL PAKISTAN RECOGNIZED BANGLADESH. THIRD AREA OF CONCERN WAS ARTICLE 1, WHERE SATTAR FELT SIGNATORY POWERS HAD A RESPONSIBILITY TO EXERT PRESSURE IN CASES OF NON-COMPLIANCE. SATTAR HAD NO SPECIFIC SUGGESTIONS FOR CHANGES BUT SAID THAT PAK DEL WOULD WORK THROUGH MEDIUM OF STRENGTHENING PROTOCOLS. HE SPECULATED THAT HEAD OF PAKISTAN'S DELEGATION WOULD BE HIGH COURT JUDGE NASIM HASEM SHAH WHO WORKED ON PROTOCOL DRAFTING AT PREVIOUS CONFERENCES.

SOBER

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